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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DANIEL HEILBRUN, an individual,)	Case No.: <u>'15CV1362 AJB DHB</u>
)	
Plaintiff,)	COMPLAINT AND DEMAND FOR
)	JURY TRIAL
v.)	
)	
EXPERIAN INFORMATION SOLUTIONS,)	
INC.; and DOES 1 through 10, inclusive,)	
)	
Defendants.)	
)	
)	
)	

I. INTRODUCTION

1) This is an action for damages brought by an individual consumer against Defendants for actual, statutory and punitive damages, and costs and attorney's fees brought pursuant to 15 U.S.C. §1681 *et seq.* (Fair Credit Reporting Act "FCRA") which prohibits unlawful credit reporting.

II. VENUE AND PARTIES

2) Plaintiff DANIEL HEILBRUN is a natural person residing in the State of California, County of San Diego.

3) Defendant EXPERIAN INFORMATION SOLUTIONS, INC. at all times relevant was a corporation doing business in San Diego County, California operating from an address at 475 ANTON BLVD., COSTA MESA, CA 92626. EXPERIAN is a “consumer reporting agency” as defined by 15 U.S.C. §1681(f) and is regularly engaged in the business of assembling, evaluating, and disbursing information concerning consumers for the purposes of furnishing consumer reports, as defined in 15 U.S.C. §1681(d) to third parties. EXPERIAN disburses such consumer reports to third parties under contract for monetary compensation.

4) The true names and capacities, whether individual, corporate (including officers and directors thereof), associate or otherwise of Defendants sued herein as DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore sues these Defendants by such fictitious names. Plaintiff is informed and believes, and alleges that each Defendant designated as a DOE is involved in or is in some manner responsible as a principal, beneficiary, agent, co-conspirator, joint venturer, alter ego, third party beneficiary, or otherwise, for the agreements, transactions, events and/or acts hereinafter described, and thereby proximately caused injuries and damages to Plaintiff. Plaintiff requests that when the true names and capacities of these DOE Defendants are ascertained, they may be inserted in all subsequent proceedings, and that this action may proceed against them under their true names.

5) Venue in this District is proper in that Defendants transact business here and the Plaintiff resides here.

III. FACTUAL ALLEGATIONS

6) In or around April 2015, Plaintiff discovered several accounts being reported as in dispute on his credit report.

7) Plaintiff did not dispute these accounts and contacted EXPERIAN in writing to remove any indication that the accounts were in dispute.

8) EXPERIAN refused to conduct any investigation into Plaintiff's claim.

9) EXPERIAN negligently produced consumer reports with respect to Plaintiff's credit that contained notations that the accounts were in dispute ("the inaccurate information").

10) EXPERIAN further negligently failed to maintain reasonable procedures designed to avoid the reporting of the incorrect information.

11) As a result of EXPERIAN's conduct, Plaintiff has been hindered in his efforts to obtain a home loan.

12) As a result of EXPERIAN's conduct, Plaintiff suffered damage to his credit worthiness and emotional distress.

IV. FIRST CAUSE OF ACTION

(Against Defendants for Violations of the FCRA)

13) Plaintiff repeats, realleges and incorporates by reference all of the foregoing paragraphs.

14) EXPERIAN violated 15 U.S.C. §1681c by negligently producing consumer reports containing inaccurate information.

15) EXPERIAN violated 15 U.S.C. §1681e(a) by failing to maintain reasonable procedures designed to avoid reporting inaccurate information.

16) EXPERIAN violated 15 U.S.C. §1681e(b) by failing to establish or to follow reasonable procedures to assure maximum possible accuracy in the preparation of the credit report and credit files it published and maintains concerning Plaintiff.

17) EXPERIAN violated 15 U.S.C. §1681i by failing to delete inaccurate information in the Plaintiff's credit file after receiving actual notice of such inaccuracies; by failing to conduct a lawful reinvestigation; by failing to forward all relevant information to furnishers; and by failing to maintain reasonable procedures with which to filter and verify disputed information in the Plaintiff's credit file.

18) EXPERIAN's unlawful conduct damaged Plaintiff as referenced above.

19) EXPERIAN's unlawful conduct was willful.

20) Plaintiff is entitled to recover damages under 15 U.S.C. §§1681n and/or 1681o.

21) Plaintiff is further entitled to recover costs and attorneys' fees pursuant to 15 U.S.C. §§1681n and/or 1681o.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendants, and each of them, for the following:

- (a) Actual damages;
- (b) Punitive damages;
- (c) Statutory damages pursuant 15 U.S.C. §1681;
- (d) Costs and reasonable attorney's fees pursuant to 15 U.S.C. §§1681n and/or 1681o; and
- (e) For such other and further relief as the Court may deem just and proper including but not limited to an order to correct the inaccurate credit information.

Date: June 22, 2015

s/ Jeremy S. Golden
Jeremy S. Golden
Attorney for Plaintiff

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff demands trial by jury in this action.

Date: June 22, 2015

s/ Jeremy S. Golden
Jeremy S. Golden
Attorney for Plaintiff